

SHB 1753 - H AMD 289

By Representative Nixon

1 On page 9, after line 27, insert the following:

2 "Sec. 11. RCW 29A.08.710 and 2003 c 111 s 246 are each amended to
3 read as follows:

4 (1) The county auditor shall have custody of the voter registration
5 records for each county. The original voter registration form must be
6 filed without regard to precinct and is considered confidential and
7 unavailable for public inspection and copying. An automated file of
8 all registered voters must be maintained pursuant to RCW 29A.08.125.
9 An auditor may maintain the automated file in lieu of filing or
10 maintaining the original voter registration forms if the automated file
11 includes all of the information from the original voter registration
12 forms including, but not limited to, a retrievable facsimile of each
13 voter's signature.

14 (2) The following information contained in voter registration
15 records or files regarding a voter or a group of voters is available
16 for public inspection and copying: The voter's full legal name,
17 gender, voting record, date of registration, year but not date of
18 birth, and registration number. The address and political jurisdiction
19 of a registered voter are available for public inspection and copying
20 except as provided by chapter 40.24 RCW. No other information from
21 voter registration records or files is available for public inspection
22 or copying.

23 **Sec. 12.** RCW 29A.08.710 and 2004 c 267 s 133 are each amended to
24 read as follows:

25 (1) The county auditor shall have custody of the original voter
26 registration records for each county. The original voter registration
27 form must be filed without regard to precinct and is considered
28 confidential and unavailable for public inspection and copying. An
29 automated file of all registered voters must be maintained pursuant to

1 RCW 29A.08.125. An auditor may maintain the automated file in lieu of
2 filing or maintaining the original voter registration forms if the
3 automated file includes all of the information from the original voter
4 registration forms including, but not limited to, a retrievable
5 facsimile of each voter's signature.

6 (2) The following information contained in voter registration
7 records or files regarding a voter or a group of voters is available
8 for public inspection and copying: The voter's full legal name,
9 gender, voting record, date of registration, year but not date of
10 birth, and registration number. The address and political jurisdiction
11 of a registered voter are available for public inspection and copying
12 except as provided by chapter 40.24 RCW. No other information from
13 voter registration records or files is available for public inspection
14 or copying."

15 Renumber the remaining sections consecutively and correct any
16 internal references accordingly.

17 On page 9, after line 36, insert the following:

18 "**Sec. 12.** RCW 29A.08.830 and 2003 c 111 s 255 are each amended to
19 read as follows:

20 (1) Any registered voter may request that the registration of
21 another voter be canceled if he or she believes that the voter does not
22 meet the requirements of Article VI, section 1 of the state
23 Constitution or that voter no longer maintains or has never maintained
24 a legal voting residence at the address shown on his or her
25 registration record. The challenger shall file with the county auditor
26 a signed affidavit subject to the penalties of perjury, to the effect
27 that to his or her personal knowledge and belief another registered
28 voter does not actually reside at or has never resided at the address
29 as given on his or her registration record or is otherwise not a
30 qualified voter and that the voter in question is not protected by the
31 provisions of Article VI, section 4, of the Constitution of the state
32 of Washington. The person filing the challenge must furnish the
33 address at which the challenged voter actually resides if that
34 information is known to the challenger. If the allegation is made by
35 sworn affidavit that the listed legal voting residence is not in fact

1 a residence but is rather a private or public mail box or is a business
2 address at which residency would be unlawful, a rebuttable presumption
3 is created that the voter's registration is invalid and to overcome the
4 presumption the voter must show by a preponderance of the evidence that
5 the address is actually where he or she resides.

6 (2) Any such challenge of a voter's registration and right to vote
7 made less than thirty days before a primary or election, special or
8 general, shall be administered under RCW 29A.08.820. The county
9 auditor shall notify the challenged voter and the precinct election
10 officers in the voter's precinct that a challenge has been filed,
11 provide the name of the challenger, and instruct both the precinct
12 election officers and the voter that, in the event the challenged voter
13 desires to vote at the ensuing primary or election, a challenged ballot
14 will be provided. The voter shall also be informed that the status of
15 his or her registration and the disposition of any challenged ballot
16 will be determined by the county canvassing board in the manner
17 provided by RCW 29A.08.820. If the challenged voter does not vote at
18 the ensuing primary or election, the challenge shall be processed in
19 the same manner as challenges made more than thirty days prior to the
20 primary or election under RCW 29A.08.840."

21 Renumber the remaining sections consecutively and correct any
22 internal references accordingly.

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23 On page 10, line 4, strike all of section 13 and insert the
24 following:

25 "NEW SECTION. **Sec. 13.** Section 11 of this act expires January 1,
26 2006.

1 NEW SECTION. **Sec. 14.** Except for section 11 of this act, this act
2 takes effect January 1, 2006."

3 Correct the title.

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